

EXHIBIT 28

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

PersonalWeb Technologies LLC, et al.

Plaintiff,

VS.

EMC Corporation and VMware, Inc.

Defendants.

Civil Action No. 6:11-cv-660 (LED)

JURY TRIAL DEMANDED

PLAINTIFF PERSONALWEB'S SUPPLEMENTAL DISCLOSURE
OF ASSERTED CLAIMS AND INFRINGEMENT CONTENTIONS
EDTX PATENT RULE 3-1

Plaintiff PersonalWeb Technologies, LLC, provide the following supplemental Patent Rule 3-1 Disclosure of Asserted Claims and Infringement Contentions as to Defendants EMC Corporation and VMware, Inc. (“Defendants”).

I. EACH CLAIM OF EACH PATENT IN SUIT THAT IS ALLEGEDLY INFRINGED BY DEFENDANTS

PersonalWeb alleges that Defendants have infringed and are infringing at least the following claims (“Asserted Claims”) of the following patents:

Patent	Claims Alleged Infringed Literally and/or Under the Doctrine of Equivalents
U.S. Patent No. 5,978,791 ('791 patent)	1-4, 29-33, and 41
U.S. Patent No. 6,415,280 ('280 patent)	36 and 38
U.S. Patent No. 6,928,442 ('442 patent)	1, 2, 4, and 7
U.S. Patent No. 7,802,310 ('310 patent)	24, 32, 70, 81 and 86

U.S. Patent No. 7,945,539 ('539 patent)	10, 21 and 34
U.S. Patent No. 7,945,544 ('544 patent)	1
U.S. Patent No. 7,949,662 ('662 patent)	30
U.S. Patent No. 8,001,096 ('096 patent)	1, 2, 81, 83

II. THE IDENTITY OF DEFENDANTS' ACCUSED INSTRUMENTALITIES

EMC								
	791 patent	280 patent	442 patent	310 patent	539 patent	544 patent	662 patent	096 patent
EMC Centera	1-4, 29-33, 41	36, 38	1, 2, 4, 7	24, 32, 70, 81, 86	10, 21, 34	1	30	1, 2, 81, 83
EMC Data Domain	1-3, 29, 33	36, 38	1, 2, 4, 7	24, 32, 81, 86				
EMC Avamar	1-4, 29-33, 41	36, 38	1, 2, 4, 7	24, 32, 81, 86	10, 21, 34	1	30	1, 2
EMC Atmos CAS	1-4, 29-33, 41	36, 38	1, 2, 4, 7	24, 32, 70, 81, 86	10, 21, 34	1	30	1, 2, 81, 83
EMC Isilon	1-3, 29, 33	36, 38	1, 2, 4, 7	24, 32, 81, 86				
VMware								
	791 patent	280 patent	442 patent	310 patent	539 patent	544 patent	662 patent	096 patent
vSphere	1-3, 29	36, 38	1, 2, 4, 7	24, 32, 81, 86				
Vmware Data Recovery	1-3, 29, 33	36, 38	1, 2, 4, 7	24, 32, 81, 86				
vSphere Storage Appliance	1-3, 29	36, 38	1, 2, 4, 7	24, 32, 81, 86				

vCloud	1-3, 29	36, 38	1, 2, 4, 7	24, 32, 81, 86				
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DATED: October 31, 2012

McKOOL SMITH, P.C.

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